IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS **AUSTIN DIVISION**

JAMES W. ROBERTSON, SR. and ROBERTSON TECHNOLOGIES, INC.,

Plaintiffs,

v.

INTRATEK COMPUTER, INC., ALLAN FAHAMI, and RÓGER HAYES RININGER. Defendants.

1:18-CV-00373-ADA

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Before the Court is the Report and Recommendation of United States Magistrate Judge Dustin M. Howell. ECF No. 84. The Report recommends that this Court grant the United States' Motion for Partial Substitution. ECF No. 68. The Report and Recommendation was filed on June 19, 2023.

A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing de novo review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A district court need not consider "[f]rivolous, conclusive, or general objections." Battle v. U.S. Parole Comm'n, 834 F.2d 419, 421 (5th Cir. 1987) (quoting Nettles v. Wainwright, 677 F.2d 404, 410 n.8 (5th Cir. 1982) (en banc), overruled on other grounds by Douglass v. United States Auto. Ass'n, 79 F.3d 1415 (5th Cir. 1996)).

Roger Hayes Ringer filed objections on July 5, 2023. ECF No. 85. In addition, Plaintiffs filed objections on July 5, 2023. ECF No. 86. The United States filed a response to the objections on July 19, 2023. ECF No. 87. The Court has conducted a de novo review of the motion to

substitute, the responses, the report and recommendation, the objections to the report and recommendation, the response to the objections, and the applicable laws. After that thorough review, the Court is persuaded that the Magistrate Judge's findings and recommendation should be adopted.

IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge Howell, ECF No. 84, is ADOPTED.

IT IS FURTHER ORDERED that Plaintiffs' and Defendant's objections are OVERRULED.

IT IS FINALLY ORDERED that the United States' Motion to Substitute (ECF No. 84) is **GRANTED** in accordance with the Report and Recommendation.

SIGNED this 28th day of July, 2023.

ALAN D ALBRIGHT

UNITED STATES DISTRICT JUDGE